



IFW

ETH-5040  
J&J 3.0-104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of  
Etan S. Chatlynne et al.

Group Art Unit: 3731

U.S. Serial No. 10/648,494

Confirmation No.: 4244

Filed: August 25, 2003

For: DEPLOYMENT APPARATUS FOR  
SUTURE ANCHORING DEVICE

I hereby certify that this correspondence and/or fee is being  
deposited with the United States Postal Services as First  
Class Mail in an envelope addressed to Commissioner for  
Patents, P.O. Box 1450, Alexandria, VA 22313-1450

August 10, 2004

Date of Deposit

*Juliana Yu*  
(Signature)

08/10/2004  
(Date)

X

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, applicants and their attorney respectfully request that the following patents and patent publications be made of record in the official United States Patent and Trademark Office file relating to the above-identified application. The citation of these patents and patent publications should not be construed as an admission that they constitute statutory prior art with respect to the present invention.

U.S. Patents Nos.

5,078,731	5,514,159
5,219,359	5,520,702
5,376,101	5,537,776
5,383,905	5,630,824
5,391,173	5,645,553
5,409,499	5,662,683
5,474,572	5,681,351

5,741,301	6,106,545
5,810,853	6,126,677
5,810,882	6,165,204
5,849,019	6,200,329
5,919,208	6,231,592
5,976,159	6,293,961
6,001,110	6,409,743
6,015,428	6,428,550
6,039,176	6,517,578
6,066,160	6,652,562
6,074,409	RE 36,974
6,099,553	

U.S. Patent Publication No.

US 2003/0195562 A1

Foreign Patent Publications

International Patent Publication No. WO 99/62406 A2  
International Patent Publication No. WO 01/45570 A1  
International Patent Publication No. WO 00/28902 A1  
International Patent Publication No. WO 01/45571 A1  
European Patent Publication No. EP 0 663 184 A1

The foregoing patents and patent publications were cited during the prosecution of commonly owned, related U.S. Patent Application Serial No. 10/034,636 (now U.S. Patent No. 6,652,562) and U.S. Patent Application Serial No. 10/122,970 (now U.S. Patent Publication No. US 2003/0195562). Moreover, all of these patents and patent publications are in the English language. In such circumstances, comments concerning the patents and patent publications with respect to the patentability of the present invention are believed to be unnecessary.

Copies of the foregoing foreign patent publications are provided herewith, in accordance with 37 CFR 1.98(a)(2). As permitted by the Commissioner's partial

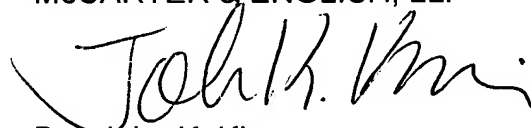
waiver of 37 CFR 1.98(a)(2), copies of the U.S. patents and patent publication listed above are not provided.

In order to facilitate the Examiner's citation of the patents and patent publications listed above, applicants' attorney has completed United States Patent and Trademark Office Form PTO/SB/08A. The completed Form is attached hereto for the Examiner's convenience.

Since this Information Disclosure Statement is being filed prior to the issuance of a first Office Action on the merits, no fees are believed to be due. If any such fees are due as a result of the submittal of this Information Disclosure Statement, the Examiner is hereby authorized to charge them to Deposit Account No. 501402.

Respectfully Submitted,

McCARTER & ENGLISH, LLP

A handwritten signature in black ink, appearing to read "John K. Kim", is written over the printed name.

By: John K. Kim

Reg. No. 37,002

Four Gateway Center  
100 Mulberry Street  
Newark, New Jersey 07102  
(973) 622-4444, Ext. 2646

NWK2: 1129388.01  
97017-00122



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the American Inventor Protection Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

2

**Complete if Known**

Application Number	10/648,494
Filing Date	August 25, 2003
First Named Inventor	Etan S. Chatlynnne
Art Unit	3731
Examiner Name	
Attorney Docket Number	ETH-5040

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US- 5,078,731	01-07-1992	Hayhurst	
	2	US- 5,219,359	06-15-1993	McQuilkin et al.	
	3	US- 5,376,101	12-27-1994	Green et al.	
	4	US- 5,383,905	01-24-1995	Golds et al.	
	5	US- 5,391,173	02-21-1995	Wilk	
	6	US- 5,409,499	04-25-1995	Yi	
	7	US- 5,474,572	12-12-1995	Hayhurst	
	8	US- 5,514,159	05-07-1996	Matula et al.	
	9	US- 5,520,702	05-28-1996	Sauer et al.	
	10	US- 5,537,776	07-23-1996	Gilard, Sr.	
	11	US- 5,630,824	05-20-1997	Hart	
	12	US- 5,645,553	07-08-1997	Kolesa et al.	
	13	US- 5,662,683	09-02-1997	Key	
	14	US- 5,681,351	10-28-1997	Jamiolkowski et al.	
	15	US- 5,741,301	04-21-1998	Pagedas	
	16	US- 5,810,853	09-22-1998	Yoon	
	17	US- 5,810,882	09-22-1998	Bolduc et al.	
	18	US- 5,849,019	12-15-1998	Yoon	
	19	US- 5,919,208	07-06-1999	Valenti	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	39	WO 99/62406 A2	12-09-1999	Coalescent Surgical		
	40	WO 00/28902 A1	05-25-2000	General Surgical		
	41	WO 01/45570 A1	06-28-2001	Dexterity Surgical		
	42	WO 01/45571 A1	06-28-2001	Jayaraman		
	43	EP 0 663 184 A1	07-19-1995	Ethicon, Inc.		

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 2

of 2

**Complete if Known**

Application Number	10/648,494
Filing Date	August 25, 2003
First Named Inventor	Etan S. Chatlynne
Art Unit	3731
Examiner Name	
Attorney Docket Number	ETH-5040

## U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	20	US- 5,976,159	11-02-1999	Bolduc et al.	
	21	US- 6,001,110	12-14-1999	Adams	
	22	US- 6,015,428	01-18-2000	Pagedas	
	23	US- 6,039,176	03-21-2000	Wright	
	24	US- 6,066,160	05-23-2000	Colvin et al.	
	25	US- 6,074,409	06-13-2000	Goldfarb	
	26	US- 6,099,553	08-08-2000	Hart et al.	
	27	US- 6,106,545	08-22-2000	Egan	
	28	US- 6,126,677	10-03-2000	Ganaja et al.	
	29	US- 6,165,204	12-26-2000	Levinson et al.	
	30	US- 6,200,329	03-13-2001	Fung et al.	
	31	US- 6,231,592	05-15-2001	Bonutti et al.	
	32	US- 6,293,961	09-25-2001	Schwartz et al.	
	33	US- 6,409,743	06-25-2002	Fenton, Jr.	
	34	US- 6,428,550	08-06-2002	Vargas et al.	
	35	US- 6,517,578	02-11-2003	Hein	
	36	US- 6,652,562	11-25-2003	Collier et al.	
	37	US- RE 36,974	11-28-2000	Bonutti	
	38	US- 2003/0195562 A1	10-16-2003	Collier et al.	

## FOREIGN PATENT DOCUMENTS

[illegible]

**Examiner  
Signature**

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.**